

ND-2018-25-C
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Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

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In the Matter of)	
)	
Section 63.71 Application of)	File No.
)	
BroadSoft Adaption, Inc.)	
)	WC Docket No. 18-280
For Authority to Discontinue the Provision of)	
Service)	

AMENDED SECTION 63.71 APPLICATION

BroadSoft Adaption, Inc. ("BroadSoft Adaption") through its undersigned counsel and pursuant to Section 214(a) of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and Section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, hereby amends its September 17, 2018 application to discontinue the provision of voice services made available to customers of its BroadSoft Business suite of software services.

As explained in the September 17, 2018 application, BroadSoft Adaption attempted to provide written notice of the planned discontinuance to all affected customers by email. Shortly after filing the application, however, BroadSoft Adaption learned that delivery of the notice had failed with respect to a small number of affected customers. For all customers that experienced a delivery exception, BroadSoft Adaption was able to verify email address information and successfully deliver the written notice required by the Commission's rules. Thus, written notice for all affected customers was provided prior to the date of this filing.

As required by Section 63.71(a) and (b) of the Commission's rules, BroadSoft Adaption provides the following information in support of its application as amended:

1. **Name and address of carrier**

BroadSoft Adaption, Inc.
9737 Washingtonian Blvd.
Gaithersburg, MD 20878

2. **Date of planned service discontinuance**

BroadSoft Adaption plans to no longer offer voice services to new BroadSoft Business customers, and to discontinue voice services to existing non-term BroadSoft Business customers, on November 14, 2018 subject to regulatory approval. For existing BroadSoft Business customers on term agreements that provide for the use of voice services, BroadSoft Adaption plans to discontinue voice services on November 14, 2018 or the expiration of the customer's term agreement, whichever is later. Existing term agreements will not be renewed or extended.

3. **Points of geographic areas of service affected**

BroadSoft Adaption proposes to discontinue voice services made available to BroadSoft Business customers in all U.S. states and the District of Columbia.

4. **Brief description of the type of service affected**

BroadSoft Business is a suite of cloud-based communications, collaboration, and contact center software services sold to enterprise customers. For some BroadSoft Business customers, BroadSoft Adaption provides voice services that allow end-users to make and receive VoIP calls over an existing broadband connection (which is not provided by BroadSoft Adaption) using IP-compatible equipment. These voice services are being discontinued.

5. **Brief description of the dates and methods of notice to all affected customers**

BroadSoft Adaption provided written notice to all affected customers on or

before October 2, 2018. A copy of the customer notice is attached as Exhibit A.

BroadSoft Adaption attempted to provide written notice to all affected customers—and successfully provided written notice to most affected customers—on or before September 14, 2018. That written notice was delivered by email, which is how BroadSoft Adaption generally delivers notices regarding its BroadSoft Business services. BroadSoft Adaption chose electronic delivery because it determined that it would inform its customers most effectively by using an established channel of communication.

As discussed above, BroadSoft Adaption experienced delivery issues with respect to a small number of affected customers that it attempted to notify in September. After verifying email address information, BroadSoft Adaption successfully delivered written notice to all of these customers via email on or before October 2, 2018.

6. Whether the carrier is considered dominant or non-dominant with respect to the service to be discontinued

BroadSoft Adaption is considered non-dominant with respect to the service to be discontinued.

7. Other information

BroadSoft Adaption's discontinuance of voice services made available to BroadSoft Business customers will not adversely affect the public convenience and necessity, and the public will not be harmed by the discontinuance. Customers have been given notice that affords them ample opportunity to acquire reasonable substitute service which is readily available from other providers.

Pursuant to Section 63.71 of the Commission's rules, BroadSoft Adaption is

submitting a copy of this application via U.S. Mail to the public utility commissions and to the governors of all U.S. states and the District of Columbia, and to the Special Assistant for Telecommunications for the Secretary of Defense, concurrent with the filing of this application.

CONCLUSION

BroadSoft Adaption respectfully requests that the Commission approve its Section 63.71 application, as amended, to discontinue the provision of voice services made available to its BroadSoft Business customers.

Respectfully submitted,



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Counsel for BroadSoft Adaption, Inc.

October 9, 2018

Exhibit A: Customer Notice

Dear [CUSTOMER CONTACT FIRST NAME] [CUSTOMER CONTACT LAST NAME]:

BroadSoft Adaption, Inc. is sending this message to key contacts at [CUSTOMER] regarding important changes to your BroadSoft Business service.

This is an important notice about the discontinuance of voice services made available to you as a BroadSoft Business customer.

BroadSoft Adaption, Inc. has provided you with voice services that allow users under your subscription to place and receive VoIP calls to and from most telephone numbers. However, as we have previously notified you, BroadSoft Adaption intends to no longer offer, and to discontinue, these voice services in all U.S. states and the District of Columbia on November 14, 2018. If you are on a term agreement that provides for the use of these voice services, BroadSoft Adaption will continue to provide voice services until November 14, 2018 or the expiration of your term agreement, whichever is later. Existing term agreements for the provision of voice services will not be renewed or extended.

The Federal Communications Commission* ("FCC") will normally authorize this proposed discontinuance of service unless it is shown that customers would be unable to receive service or a reasonable substitute from another carrier or that the public convenience and necessity is otherwise adversely affected. If you wish to object, you should file your comments as soon as possible, but no later than 15 days after the Commission releases public notice of the proposed discontinuance. You may file your comments electronically through the FCC's Electronic Comment Filing System using the docket number established in the Commission's public notice for this proceeding, or you may address them to the Federal Communications Commission, Wireline Competition Bureau, Competition Policy Division, Washington, DC 20554, and include in your comments a reference to the § 63.71 Application of BroadSoft Adaption, Inc. Comments should include specific information about the impact of this proposed discontinuance upon you or your company, including any inability to acquire reasonable substitute service.

We regret any inconvenience this may cause, and hope that you will continue to take advantage of other BroadSoft services in the future.

Sincerely,

BroadSoft Adaption, Inc.
9737 Washingtonian Blvd.
Gaithersburg, MD 20878

* Note: The Federal Communications Commission (FCC) is an independent United States government agency. The FCC was established by the Communications Act of 1934 and is charged with regulating interstate and international communications by radio, television, wire, satellite and cable. The FCC's jurisdiction covers the 50 states, the District of Columbia, and U.S. possessions.

CERTIFICATE OF SERVICE

I, Lee Walter, hereby certify that I will cause the foregoing **AMENDED SECTION 63.71**

APPLICATION to be:

- 1) Filed with the Secretary of the FCC via ECFS (INBOX—NON-DOCKETED FILING and in WC Docket No. 18-280);
- 2) Served via first-class U.S. Mail, postage prepaid, on the Governors of the States listed on the attached service list;
- 3) Served via first-class U.S. Mail, postage prepaid, on the Public Utility Commissions listed on the attached service list; and
- 4) Served via first-class U.S. Mail, postage prepaid, on the Special Assistant for Telecommunications under the Secretary of Defense at the address indicated on the attached service list.

/s/ Lee Walter

Lee Walter

Legal Assistant

Harris, Wiltshire & Grannis LLP

202.379.4504

lwalter@hwglaw.com

October 9, 2018

SERVICE LIST

The Hon. Kay Ivey
Office of the Governor
600 Dexter Avenue
Montgomery, AL 36130

The Hon. William Walker
Office of the Governor
P.O. Box 110001
Juneau, AK 99811

The Hon. Doug Ducey
Office of the Governor
Executive Tower
1700 West Washington Street
Phoenix, AZ 85007

The Hon. Asa Hutchinson
Office of the Governor
500 Woodlane Street
Little Rock, AR 72201

The Hon. Edmund Brown
Office of the Governor
c/o State Capitol
Suite 1173
Sacramento, CA 95814

The Hon. John Hickenlooper
Office of the Governor
136 State Capitol
Denver, CO 80203

The Hon. Dannel Malloy
Office of the Governor
State Capitol
210 Capitol Avenue
Hartford, CT 06106

The Hon. Muriel Bowser
Office of the Mayor
John A. Wilson Building
1350 Pennsylvania Avenue NW
Washington, DC 20004

The Hon. John Carney
Office of the Governor
150 Martin Luther King Jr. Blvd. South
2nd Floor
Dover, DE 19901

The Hon. Rick Scott
Office of the Governor
PL 05 The Capitol
400 S. Monroe Street
Tallahassee, FL 32399

The Hon. Nathan Deal
Office of the Governor
206 Washington Street
111 State Capitol
Atlanta, GA 30334

The Hon. David Ige
Office of the Governor
Executive Chambers
State Capitol
Honolulu, HI 96813

The Hon. C.L. Otter
Office of the Governor
700 West Jefferson Street
2nd Floor
Boise, ID 87320

The Hon. Bruce Rauner
Office of the Governor
State Capitol
207 State House
Springfield, IL 62706

The Hon. Eric Holcomb
Office of the Governor
200 Washington Street
Room 206
Indianapolis, IN 46204

The Hon. Kim Reynolds
Office of the Governor
State Capitol
1007 East Grand Avenue
Des Moines, IA 50319

The Hon. Jeff Colyer
Office of the Governor
Capitol
300 S.W. 10th Avenue
Suite 212S
Topeka, KS 66612

The Hon. Matt Bevin
Office of the Governor
700 Capitol Avenue
Suite 700
Frankfort, KY 40601

The Hon. John Bel Edwards
Office of the Governor
P.O. Box 94004
Baton Rouge, LA 70804

The Hon. Paul LePage
Office of the Governor
#1 State House Station
Augusta, ME 04333

The Hon. Larry Hogan
Office of the Governor
100 State Circle
Annapolis, MD 21401

The Hon. Charlie Baker
Office of the Governor
Massachusetts State House
24 Beacon Street
Room 280
Boston, MA 02133

The Hon. Rick Snyder
Office of the Governor
P.O. Box 30013
Lansing, MI 48909

The Hon. Mark Dayton
Office of the Governor
130 State Capitol
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St. Paul, MN 55155

The Hon. Phil Bryant
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Jackson, MS 39205

The Hon. Mike Parson
Office of the Governor
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Jefferson City, MO 65102

The Hon. Steve Bullock
Office of the Governor
P.O. Box 200801
Helena, MT 59620

The Hon. Pete Ricketts
Office of the Governor
P.O. Box 94848
Lincoln, NE 68509

The Hon. Brian Sandoval
Office of the Governor
State Capitol Building
101 N. Carson Street
Carson City, NV 89701

The Hon. Chris Sununu
Office of the Governor
State House
107 North Main Street
Concord, NH 03301

The Hon. Phil Murphy
Office of the Governor
The State House
P.O. Box 001
Trenton, NJ 08625

The Hon. Susana Martinez
Office of the Governor
490 Old Santa Fe Trail
Room 400
Santa Fe, NM 87501

The Hon. Andrew Cuomo
Office of the Governor
NYS State Capitol Building
Albany, NY 12224

The Hon. Roy Cooper
Office of the Governor
North Carolina Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699

The Hon. Doug Burgum
Office of the Governor
600 East Boulevard Avenue
Bismarck, ND 58505

The Hon. John Kasich
Office of the Governor
Riffe Center
77 South High Street, 30th Floor
Columbus, OH 43215

The Hon. Mary Fallin
Office of the Governor
Oklahoma State Capitol
2300 N. Lincoln Blvd.
Room 212
Oklahoma City, OK 73105

The Hon. Kate Brown
Office of the Governor
900 Court Street N.E.
Suite 254
Salem, OR 97301

The Hon. Tom Wolf
Office of the Governor
508 Main Capitol Building
Harrisburg, PA 17120

The Hon. Gina Raimondo
Office of the Governor
82 Smith Street
Providence, RI 02903

The Hon. Henry McMaster
Office of the Governor
State House
1100 Gervais Street
Columbia, SC 29201

The Hon. Dennis Daugaard
Office of the Governor
500 East Capitol Avenue
Pierre, SD 57501

The Hon. Bill Haslam
Office of the Governor
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Nashville, TN 37243

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Montpelier, VT 05609

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3rd Floor
Richmond, VA 23218

The Hon. Jay Inslee
Office of the Governor
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Olympia, WA 98504

The Hon. Jim Justice
Office of the Governor
State Capitol
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Charleston, WV 25305

The Hon. Scott Walker
Office of the Governor
P.O. Box 7863
Madison, WI 53707

The Hon. Matthew Mead
Office of the Governor
Idelman Mansion
2323 Carey Avenue
Cheyenne, WY 82002

Alabama Public Service Commission
P.O. Box 304260
Montgomery, AL 36130

Regulatory Commission of Alaska
701 West 8th Avenue
Suite 300
Anchorage, AK 99501-3469

Arizona Corporation Commission
1200 West Washington Street
Phoenix, AZ 85007-2996

Arkansas Public Service Commission
P.O. Box 400
Little Rock, AR 72203-0400

California Public Utilities Commission
California State Building
505 Van Ness Avenue
San Francisco, CA 94102-3298

Colorado Public Utilities Commission
1560 Broadway
Suite 250
Denver, CO 80202

Connecticut Public Utilities Reg. Authority
10 Franklin Square
New Britain, CT 06051

Public Service Commission of D.C.
1325 G. Street NW
Suite 800
Washington, DC 20005

Delaware Public Service Commission
Cannon Building
861 Silver Lake Blvd.
Suite 100
Dover, DE 19904

Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399-0850

Georgia Public Service Commission
244 Washington Street SW
Atlanta, GA 30334-9052

Hawaii Public Utilities Commission
Kekuanao'a Building
465 South King Street
Room 103
Honolulu, HI 96813

Idaho Public Utilities Commission
P.O. Box 83720
Boise, ID 83720-0074

Illinois Commerce Commission
527 East Capitol Avenue
Springfield, IL 62701

Indiana Utility Regulatory Commission
PNC Center
101 West Washington Street
Suite 1500 East
Indianapolis, IN 46204

Iowa Utilities Board
1375 E. Court Avenue
Des Moines, IA 50319-0069

Kansas Corporation Commission
1500 S.W. Arrowhead Road
Topeka, KS 66604-4027

Kentucky Public Service Commission
P.O. Box 615
Frankfort, KY 40602-0615

Louisiana Public Service Commission
P.O. Box 91154
Baton Rouge, LA 70821-9154

Maine Public Utilities Commission
18 State House Station
Augusta, ME 04333-0018

Maryland Public Service Commission
6 St. Paul Street
16th Floor
Baltimore, MD 21202-6806

Massachusetts Department of Public Utilities
One South Station
5th Floor
Boston, MA 02110

Michigan Public Service Commission
P.O. Box 30221
Lansing, MI 48909

Minnesota Public Utilities Commission
121 Seventh Place East
Suite 350
St. Paul, MN 55101-2147

Mississippi Public Service Commission
Woolfolk State Office Building
501 North West Street
Jackson, MS 39201

Missouri Public Service Commission
P.O. Box 360
Jefferson City, MO 65102-0360

Montana Public Service Commission
P.O. Box 202601
Helena, MT 59620-2601

Nebraska Public Service Commission
1200 N Street
Suite 300
Lincoln, NE 68508

Public Utilities Commission of Nevada
1150 East William Street
Carson City, NV 89701-3109

New Hampshire Public Utilities Commission
21 South Fruit Street
Suite 10
Concord, NH 03301-2429

New Jersey Board of Public Utilities
44 S. Clinton Avenue
Trenton, NJ 08625

New Mexico Public Regulation Commission
P.O. Box 1269
Santa Fe, NM 87504

New York State Public Service Commission
Empire State Plaza
Agency Building 3
Albany, NY 12223-1350

North Carolina Utilities Commission
4325 Mail Service Center
Raleigh, NC 27699-4300

North Dakota Public Service Commissions
600 East Boulevard Avenue
Dept. 408
Bismarck, ND 58505-0480

Public Utilities Commission of Ohio
180 East Broad Street
Columbus, OH 43215-3793

Oklahoma Corporation Commission
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Oklahoma City, OK 73152-2000

Oregon Public Utility Commission
P.O. Box 1088
Salem, OR 97301

Pennsylvania Public Utility Commission
Commonwealth Keystone Building
400 North Street
2nd floor, Room N201
Harrisburg, PA 17120

Rhode Island Public Utilities Commission
89 Jefferson Blvd.
Warwick, RI 02888

South Carolina Public Service Commission
101 Executive Center Drive
Suite 100
Columbia, SC 29210-8411

South Dakota Public Utilities Commission
Capitol Building
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1st Floor
Pierre, SD 57501-5070
Tennessee Public Utility Commission
502 Deaderick Street
4th Floor
Nashville, TN 37243

Public Utility Commission of Texas
1701 North Congress Avenue
P.O. Box 13326
Austin, TX 78711-3326

Public Service Commission of Utah
160 East 300 South, 4th Floor
Salt Lake City, UT 84114

Vermont Public Utility Commission
112 State Street
4th Floor
Montpelier, VT 05620-2701

Virginia State Corporation Commission
1300 East Main Street
Richmond, VA 23219

Washington Utilities and Transportation
Commission
P.O. Box 47250
Olympia, WA 98504-7250

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Charleston, WV 25301

Wisconsin Public Service Commission
4822 Madison Yards Way
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6th Floor
Madison, WI 53705-9100

Wyoming Public Service Commission
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